

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

MARK BRADFORD,

Plaintiff,

vs.

No. CV 19-00915 JB/JHR

JERRY ROARK, et al.,

Defendants.

ORDER TO SHOW CAUSE

THIS MATTER is before the Court *sua sponte*. Plaintiff Mark Bradford filed this civil rights proceeding under 42 U.S.C. § 1983 on September 27, 2019. (Doc. 1). Plaintiff did not pay the \$400.00 filing fee or submit an application to proceed without prepayment of fees or costs pursuant to 28 U.S.C. § 1915. On October 2, 2019, the Court ordered Plaintiff to cure this deficiency within 30 days by either paying the \$400.00 filing fee or submitting applications to proceed *in forma pauperis*. (Doc. 3). The Order advised Plaintiff that, if he failed to cure the deficiency within the 30-day time period, the Court could dismiss this proceeding without further notice. (Doc. 3 at 1). The Court also sent Plaintiff the forms for submitting an application under § 1915. (Doc. 3 at 2). More than 30 days has elapsed since entry of the Court's Order to Cure Deficiency and Plaintiff has not paid the \$400 filing fee, submitted an application to proceed under § 1915, or otherwise responded to the Court's October 2, 2019 Order.

Under 28 U.S.C. §§ 1914(a) and 1915(a), the Court is required collect the filing fee from the Plaintiff or authorize Plaintiff to proceed without prepayment of the fee. Plaintiff has failed to either pay the \$400.00 filing fee or submit an application to proceed under § 1915. Therefore, the

Court will order Plaintiff to show cause within thirty (30) days of the date of entry of this Order why this proceeding should not be dismissed for failure to comply with the requirements of 28 U.S.C. §§ 1914 and 1915 and with the Court's October 2, 2019 Order to Cure Deficiency. If Plaintiff does not show cause within thirty (30) days, the Court may dismiss this case without further notice.

IT IS ORDERED that Plaintiff, Mark Bradford, show cause, within thirty (30) days of entry of this Order, why the Plaintiff's Complaint should not be dismissed for failure to comply with 28 U.S.C. §§ 1914 and 1915 and with the Court's October 2, 2019 Order to Cure Deficiency. The Clerk is directed to mail to Plaintiff a copy of the Court's October 2, 2019 Order to Cure Deficiency (Doc. 3) together with a copy of this Order to Show Cause.



UNITED STATES MAGISTRATE JUDGE